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Tuesday
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Part VII

Department of the Interior

Bureau of Indian Affairs

The Rumsey Indian Rancheria Community Liquor Code; Notice

DEPARTMENT OF THE INTERIOR

The Rumsey Indian Rancheria Community Liquor Code

AGENCY: Bureau of Indian Affairs, Interior.

ACTION: Notice.

SUMMARY: This notice is published in accordance with authority delegated by the Secretary of the Interior to the Assistant Secretary—Indian Affairs by 209 DM 8, and in accordance with the Act of August 15, 1953, 67 Stat. 586, 18 U.S.C. 1161. Ordinance No. 6–12–91, was duly adopted by the Rumsey Indian Rancheria Community Council on June 12, 1991, and provides that the tribe, as owner and operator of a convenience store on the rancheria, will sell wine and beer for off-premises consumption only. The Ordinance and the enacting resolution provide that said sale shall conform to all applicable laws of the State of California.

DATES: This Ordinance is effective as of February 4, 1992.

FOR FURTHER INFORMATION CONTACT: Branch of Judicial Services, Division of Tribal Government Services, 1849 C Street, NW., MS 2612–MIB, Washington, DC 20240–4001; telephone (202) 208–4400, (FTS) 268–4400.

SUPPLEMENTARY INFORMATION: The Ordinance reads as follows: The Community Council of the Rumsey Indian Rancheria (hereinafter "Council"), governing body of the Rumsey Indian Rancheria (hereinafter "Tribe"), hereby enacts this Ordinance to govern the sale and consumption of alcoholic beverages on Rancheria lands.

Preamble

1. Title 18, United States Code, section 1161, provides Indian tribes with authority to enact ordinances governing the consumption and sale of alcoholic beverages on their Reservations, provided such ordinance is certified by the Secretary of the Interior, published in the **Federal Register** and such activities are in conformity with State law.

2. Rumsey Indian Rancheria is the owner and operator of a convenience store on the Rancheria known as the Brooks Mountain View Mini-Mart, which sells, among other products, certain snack and food items to members of the Tribe and the general public.

3. Said convenience store is an integral and indispensable part of the Tribe's economy, providing income to the Tribe and training and employment to its members.

4. The Community Council has determined that it is now in its best interest to offer for sale at said convenience store, for off-premises consumption only, certain alcoholic beverages, namely wine and beer.

5. It is the purpose of this Ordinance to set out the terms and conditions under which the sale of said alcoholic beverages may take place.

General Terms

1. The sale of beer and wine by the Rumsey Rancheria convenience store, known as Brooks Mountain View Mini-Mart, for off-premises consumption only, is hereby authorized.

2. No alcoholic beverages, other than beer or wine, may be sold by the convenience store, and no alcoholic beverage of any kind may be consumed on the premises of the convenience store. For the purpose of this section, the term "premises" shall include the convenience store and an area of 50 yards around its perimeter.

3. The sale of said alcoholic beverages authorized by this Ordinance shall be in conformity with all applicable laws of the State of California, and the sale of said beverages shall be subject to State sales tax, Federal excise tax and any fees required by the Federal Bureau of Alcohol, Tobacco & Firearms.

Posting

This Ordinance shall be conspicuously posted at the convenience store at all times it is open to the public.

Enforcement

This Ordinance may be enforced by the Chairman of the Rumsey Rancheria or the Yolo County Sheriff's Office at the request of the General Manager.

Dated: January 23, 1992.

Eddie F. Brown,

Assistant Secretary—Indian Affairs.

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